



Entered on Docket
June 26, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE
COMPANY,
USA CAPITAL REALTY ADVISORS,
LLC,
USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,
USA CAPITAL FIRST TRUST DEED
FUND, LLC,
USA SECURITIES, LLC,
Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

Date: April 26, 2007
Time: 9:30 a.m

Affecting:

☐ All Cases

or Only:

- ☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

**ORDER SUSTAINING TWENTY-SEVENTH OMNIBUS OBJECTION OF THE
USACM LIQUIDATING TRUST TO CLAIMS ASSERTING SECURED STATUS**

The USACM Liquidating Trust (the “USACM Trust”) filed its Twenty-Seventh Omnibus Objection to Claims Asserting Secured Status [DE 3185] (the “Objection”) on March 20, 2007. Appropriate notice of the Objection was given. A Response to the Objection was filed with the Court as follows:

- Response was filed by Roy and Nancy Ventura [DE 3426] pertaining to Claim Nos. 10725-00638 and 10725-00639. A separate stipulation or motion will be filed in regard to these claims.

No other responses were filed with this Court. The Objection came before the Court for hearing on April 26, 2007 at 9:30 a.m. Good cause appearing, it is

ORDERED:

- Sustaining the USACM Trust’s Twenty-Seventh Omnibus Objection to Claims Asserting Secured Status;

- Reclassifying the Proofs of Claim listed on Exhibit A attached as general unsecured claims; and

- Reserving the right of any party in interest, including the USACM Trust, to further object to any and all claims listed on Exhibit A attached as unsecured claims or otherwise, whether or not the subject of this Objection.

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PREPARED AND SUBMITTED:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)

Susan M. Freeman

Rob Charles

Attorneys for USACM Liquidating Trust

1 CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

2 In accordance with Local Rule 9021, the undersigned certifies:

- 3 ☐ The Court waived the requirements of LR 9021.
- 4 ☒ I have delivered a copy of this proposed order to all attorneys and unrepresented
5 parties who have appeared at the hearing regarding this matter and/or who filed
6 a written objection and each has:
- 7 ☒ approved the form of this order;
- 8 ☐ waived the right to review the order;
- 9 ☐ failed to file and serve papers in accordance with LR 9021(c); and/or
- 10 ☐ failed to sign and return this proposed order within five (5) business days
11 in accordance with LR 9021(b).
- 12 ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented
13 parties who appeared at the hearing regarding this matter and/or who filed a
14 written objection and all have either approved the form of this order, waived the
15 right to review the order, failed to file and serve papers in accordance with LR
16 9021(c) and the following have disapproved the form of the order.
- 17 ☐ No opposition was filed and no other party or counsel appeared at the hearing.

15 LEWIS AND ROCA LLP

17 By: /s/ RC (#0006593)
18 Susan M. Freeman
19 Rob Charles
Attorneys for USACM Liquidating Trust

20 APPROVED/DISAPPROVED

20 APPROVED/DISAPPROVED

21 Roy R. Ventura, Jr.
22 Roy Ventura 16 Jun. 07

21 Nancy B. Ventura
22 Nancy Ventura

24 *Approved in terms of format only. No boxes are*
25 *checked.*

27th Objection to Claims Asserting Secured Status - Reclassify as General Unsecured Claims

	<u>Claimant</u>	<u>Proof of Claim Number</u>	<u>Date Filed</u>	<u>Proof of Claim Amount</u>	<u>Proof of Claim Classification</u>
1	Roy Filkin 2340 Watt St. Reno, NV 89509	10725-00682	10/20/2006	\$175,000.00	S
2	Roy R. Ventura, Jr. & Nancy B. Ventura American Embassy - Jakarta Unit 8135 - Usaid Fpo Ap 96520 Armed Forces Pacific	10725-00638	10/19/2006	\$155,828.26	S
3	Roy Ventura American Embassy - Jakarta Unit 8135 - Usaid Fpo Ap 96520	10725-00639	10/19/2006	\$155,828.26	S
4	Ruby M Hill Family Trust Dtd 12/12/92 C/O Ruby M Hill Trustee 877 E March Ln Apt 377 Stockton, Ca 95207-5880	10725-00302	9/29/2006	\$4,005.00	S, U
5	Ruegg Living Trust Dtd 11/28/94 Frank C & Margaret S Ruegg Ttees 107 Navigator Ln Friday Harbor, Wa 98250-6017	10725-00538	10/10/2006	\$75,000.00	S
6	Ruegg Living Trust Dtd 11/28/94 Frank Charles & Margaret S Ruegg Ttees 107 Navigator Ln Friday Harbor, WA 98250-6017	10725-00537	10/10/2006	\$75,000.00	S
7	Rulon D Robinson Profit Sharing Plan 9100 Eagle Hills Dr Las Vegas, Nv 89134	10725-00186	9/5/2006	\$50,895.83	S
8	Rulon, Phillip 2800A Wronde Way Reno, NV 89502	10725-01214	11/10/2006	\$503,479.62	S
9	Russell Jr, Frank 3314 Paces Ferry Rd Se Atlanta, GA 30339	10725-00809	10/30/2006	\$109,687.51	S
10	Ruth E Rudd Revocable Trust Dtd 11/11/92 C/O Ruth E Rudd Trustee 1519 Deerford Cir Las Vegas, NV 89110-1984	10725-00394	10/2/2006	\$27,473.40	S
11	Ruth Zimmerman & Moshe Kirsh Jtwros 15721 Milbank St Encino, CA 91436	10725-02032	1/11/2007	\$122,155.97	S, U
12	Ruth Zimmerman & Moshe Kirsh Jtwros 15721 Milbank St Encino, CA 91436	10725-02033	1/11/2007	\$122,155.97	S, U
13	S J Meyer Co 2660 S Rainbow Blvd Ste H108 Las Vegas, NV 89146-5183	10725-00328	9/28/2006	\$80,000.00	S

14	Sabia, Joseph & Victoria 2720 E Quail Ave Las Vegas, NV 89120	10725-00458	10/5/2006	\$63,000.00	S
15	Sabia, Joseph W & Victoria L 2720 E Quail Ave Las Vegas, NV 89120-2443	10725-00459	10/5/2006	\$100,000.00	S
16	Sak Family Trust Dtd 12/17/04 C/O Gregory V & Jana L Sak Ttee 2512 Skippers Cove Ave Henderson, NV 89052	10725-01924	1/10/2007	\$101,826.15	S
17	Salvo, Anne F D PO Box 18220 Reno, NV 89511-0270	10725-02043	1/11/2007	\$12,032.49	S, U
18	Sanchez IRA, Randy 5713 N White Sands Rd Reno, NV 89511	10725-00118	8/14/2006	\$25,000.00	S U - Unknown amount
19	Sanchez IRA, Randy 5713 N White Sands Rd Reno, NV 89511	10725-00119	8/14/2006	\$50,000.00	S U - Unknown amount
20	Sanchez Ira, Randy 5713 N White Sands Rd Reno, NV 89511	10725-00120	8/14/2006	\$50,000.00	S U - Unknown
21	Sanchez Ira, Randy 5713 N White Sands Rd Reno, NV 89511	10725-00121	8/14/2006	\$75,000.00	S U - Unknown
22	Sanchez IRA, Randy 5713 N White Sands Rd Reno, NV 89511	10725-00122	8/14/2006	\$33,000.00	S U - Unknown amount
23	Sanchez IRA, Randy 5713 N White Sands Rd Reno, NV 89511	10725-00123	8/14/2006	\$50,000.00	S U - Unknown amount
24	Sanchez IRA, Randy 5713 N White Sands Rd Reno, NV 89511	10725-00124	8/14/2006	\$73,000.00	S U - Unknown amount
25	Sanchez Living Trust 10/03/06 Randy & Sharon Sanchez 5713 N White Sands Rd Reno, NV 89511	10725-00117	8/14/2006	\$50,000.00	S U - Unknown amount
26	Sanchez Living Trust Dtd 10/13/03 Randy & Sharon Sanchez 5713 N White Sands Rd Reno, NV 89511	10725-00114	8/14/2006	\$50,000.00	S U - Unknown amount
27	Sanchez Living Trust Dtd 10/13/03 Randy & Sharon Sanchez 5713 N White Sands Rd Reno, NV 89511	10725-00115	8/14/2006	\$25,000.00	S U - Unknown amount

28	Sanchez Living Trust Dtd 10/13/03 Randy & Sharon Sanchez 5713 N White Sands Rd Reno, NV 89511	10725-00116	8/14/2006	\$50,000.00	S U - Unknown amount
29	Sanchez Living Trust Dtd 10/13/03 Randy M & Sharon Sanchez Ttee 5713 N White Sands Rd Reno, NV 89511	10725-00111	8/14/2006	\$50,000.00	S U - Unknown
30	Sanchez Living Trust Randy & Sharon Sanchez Ttees 5713 N White Sands Rd Reno, NV 89511	10725-00112	8/14/2006	\$60,000.00	S U - Unknown
31	Sanchez Living Trust Randy M & Sharon Sanchez Ttees 5713 N White Sands Rd Reno, Nv 89511	10725-02218	1/12/2007	\$277,066.49	S, U
32	Sandler Living Trust Dtd 8/29/05 Trustee 8912 E Pinnacle Peak Rd Box 591 Scottsdale, AZ 85255	10725-00183	9/1/2006	\$25,447.92	S
33	Santoro Family Trust Utd 4/29/02 C/O Nicholas J & Juanita Santoro Ttees 2312 Pearl Crest St Las Vegas, NV 89134-6732	10725-01472	11/15/2006	\$300,000.00	S P, U -- Unknown
34	Santoro Family Trust Nicholas & Juanita Santoro Ttees 2312 Pearl Crest St Las Vegas, NV 89134-6732	10725-00812	11/13/2006	\$300,000.00	S P, U - Unknown
35	Sapphire 18 Trust The C/O Nimrod Barashy Trustee 2868 Redwood St Las Vegas, NV 89146-5113	10725-00978	11/3/2006	\$101,041.67	S
36	Sass IRA, Karen E 250 River Front Dr Reno, NV 89523-8945	10725-00388	10/2/2006	\$50,000.00	S
37	Sass, Charles 250 River Front Dr Reno, NV 89523	10725-00225	9/25/2006	\$50,000.00	S
38	Saunders, John H & Anita 3665 Brighton Way Reno, NV 89509	10725-01495	11/27/2006	\$50,000.00	S
39	Sayler Family Trust Howard & Phyllis Sayler Ttees Po Box 1311 Kings Beach, CA 96143-1311	10725-00767	10/27/2006	\$182,985.49	S
40	Sb Wright Family Trust Dtd 12/28/94 Melvin B & Susan D Wright Ttees 3983 S Mccarran Blvd Reno, NV 89502-7510	10725-00321	9/28/2006	\$746.52	S

41	Sb Wright Family Trust Dtd 12/28/94 Melvin B & Susan D Wright Ttees 3983 S Mccarran Blvd Reno, NV 89502-7510	10725-00322	9/28/2006	\$716.66	S
42	Sb Wright Family Trust Dtd 12/28/94 Melvin B & Susan D Wright Ttees 3983 S Mccarran Blvd Reno, NV 89502-7510	10725-00323	9/29/2006	\$746.52	S
43	Sb Wright Family Trust Dtd 12/28/94 Melvin B & Susan D Wright Ttees 3983 S Mccarran Blvd Reno, NV 89502-7510	10725-00324	9/28/2006	\$746.52	S
44	Scheidegger Family Trust Dtd 12/26/01 C/O Edward J Scheidegger Trustee 5101 Cashmere Ct Fair Oaks, CA 95628-5365	10725-00332	9/28/2006	\$50,000.00	S P - Unknown
45	Schneider, Richard 3424 Herring Gull Ln North Las Vegas, NV 89084	10725-00833	10/30/2006	\$80,000.00	S
46	Schnitzer Ttees Of The Schitzer Living Tr, Arthur F & Linn S 20155 Ne 38Th Ct #1604 Aventura, FL 33180	10725-02149	1/12/2007	\$1,774,903.40	S, U
47	Scholem, Frederick 9917 Whalers Landing Ct Las Vegas, Nv 89117	10725-00714	10/24/2006	\$30,000.00	S, U
48	Schoonover Family Trust The Edward L & Susan A Schoonover 164 Shorett Dr Fridav Harbor, WA 98250	10725-02135	1/11/2007	\$134,724.50	S, U
49	Schorr, Marc Po Box 15107 Las Vegas, NV 89114	10725-00313	10/4/2006	\$100,000.00	S
50	Schroeder, David W 864 Granville Ave Apt 1 Los Angeles, CA 90049-5422	10725-00573	10/13/2006	\$50,000.00	S